

## Message Text

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /026 W  
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O R 061126Z NOV 75  
FM AMEMBASSY LONDON  
TO SECSTATE WASHDC IMMEDIATE 6250  
INFO AMEMBASSY PARIS  
AMEMBASSY BONN  
AMEMBASSY OTTAWA  
AMEMBASSY TOKYO  
AMEMBASSY MOSCOW  
USMISSION IAEA VIENNA

S E C R E T SECTION 01 OF 04 LONDON 17009

EXDIS

E.O. 11652: GDS  
TAGS: PARM  
SUBJECT: NUCLEAR SUPPLIERS CONFERENCE - MULTILATERAL  
PROCEEDINGS, NOVEMBER 4-5.

SUMMARY. FOURTH NUCLEAR SUPPLIERS' CONFERENCE  
COMPLETED FULL AGREEMENT AND REFERENDUM ON TEXT OF  
NUCLEAR EXPORT GUIDELINES PAPER, REPRODUCED IN PARA 1  
BELOW. CANADA, UK AND USSR MADE UNILATERAL STATEMENTS  
FAVORING COMPREHENSIVE SAFEGUARDS (REPRODUCED IN PARAS  
2-4) WHILE SHARING FULLY IN MULTILATERAL CONSENSUS.  
BRIEF COMMENTARY ON CONTENT OF GUIDELINES COMPLETE THIS  
CABLE; HIGHLIGHTS OF DISCUSSIONS INCLUDING PROPOSED  
FORM OF AGREEMENT (INCLUDING GOVERNMENT-TO-GOVERNMENT  
NOTES) AND EXPANSION BEYOND SEVEN SUPPLIERS ARE BEING  
TRANSMITTED IN SEPTELS. END SUMMARY.

1. BEGIN TEXT: "GUIDELINES FOR NUCLEAR TRANSFERS

L. THE FOLLOWING FUNDAMENTAL PRINCIPLES FOR  
SAFEGUARDS AND EXPORT CONTROLS SHOULD APPLY TO NUCLEAR  
TRANSFERS TO ANY NON-NUCLEAR-WEAPON STATE FOR PEACEFUL  
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PURPOSES. IN THIS CONNECTION, SUPPLIERS WILL DEFINE AN

EXPORT TRIGGER LIST AND AGREE ON COMMON CRITERIA FOR TECHNOLOGY TRANSFERS TO BE INCLUDED IN THE LIST.

2. PROHIBITION ON NUCLEAR EXPLOSIVES

SUPPLIERS SHOULD AUTHORISE TRANSFER OF ITEMS IDENTIFIED IN THE TRIGGER LIST ONLY UPON FORMAL GOVERNMENTAL ASSURANCES FROM RECIPIENTS EXPLICITLY EXCLUDING USES WHICH WOULD RESULT IN ANY NUCLEAR EXPLOSIVE DEVICE.

3. PHYSICAL PROTECTION

(A) ALL NUCLEAR MATERIALS AND FACILITIES IDENTIFIED BY THE AGREED TRIGGER LIST SHOULD BE PLACED UNDER EFFECTIVE PHYSICAL PROTECTION TO PREVENT UNAUTHORISED USE AND HANDLING. THE LEVELS OF PHYSICAL PROTECTION TO BE ENSURED IN RELATION TO THE TYPE OF MATERIALS, EQUIPMENT AND FACILITIES, WILL BE AGREED AMONG SUPPLIERS, TAKING ACCOUNT OF INTERNATIONAL RECOMMENDATIONS.

(B) THE IMPLEMENTATION OF MEASURES OF PHYSICAL PROTECTION IN THE RECIPIENT COUNTRY IS THE RESPONSIBILITY OF THE GOVERNMENT OF THAT COUNTRY. HOWEVER, IN ORDER TO IMPLEMENT THE TERMS AGREED UPON AMONGST SUPPLIERS, THE LEVELS OF PHYSICAL PROTECTION ON WHICH THESE MEASURES HAVE TO BE BASED SHOULD BE THE SUBJECT OF AN AGREEMENT BETWEEN SUPPLIER AND RECIPIENT.

(C) IN EACH CASE SPECIAL ARRANGEMENTS SHOULD BE MADE FOR A CLEAR DEFINITION OF RESPONSIBILITIES FOR THE TRANSPORT OF TRIGGER LIST ITEMS.

4. SUPPLIERS SHOULD TRANSFER TRIGGER LIST ITEMS ONLY WHEN COVERED BY IAEA SAFEGUARDS, WITH DURATION AND COVERAGE PROVISIONS IN CONFORMANCE WITH THE GOV/1621 GUIDELINES. EXCEPTIONS SHOULD BE MADE ONLY AFTER CONSULTATION WITH THE PARTIES TO THIS UNDERSTANDING.

5. BEFORE THE END OF 1976 SUPPLIERS WILL JOINTLY RECONSIDER THEIR COMMON SAFEGUARDS REQUIREMENTS.

6. SAFEGUARDS TRIGGERED BY THE TRANSFER OF SECRET

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CERTAIN TECHNOLOGY

(A) THE REQUIREMENTS OF PARAGRAPHS 2, 3 AND 4 ABOVE SHOULD ALSO APPLY TO FACILITIES FOR REPROCESSING, ENRICHMENT, OR HEAVY WATER PRODUCTION, UTILISING TECHNOLOGY DIRECTLY TRANSFERRED BY THE SUPPLIER OR DERIVED FROM TRANSFERRED FACILITIES, OR MAJOR CRITICAL COMPONENTS THEREOF.

(B) THE TRANSFER OF SUCH FACILITIES, OR MAJOR  
CRITICAL COMPONENTS THEREOF, OR RELATED TECHNOLOGY,

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ACTION SS-25

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FM AMEMBASSY LONDON

TO SECSTATE WASHDC IMMEDIATE 6251

INFO AMEMBASSY PARIS

AMEMBASSY BONN

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SHOULD REQUIRE AN UNDERTAKING (1) THAT IAEA SAFEGUARDS  
APPLY TO ANY FACILITIES OF THE SAME TYPE (I.E. IF THE  
DESIGN, CONSTRUCTION OR OPERATING PROCESSES ARE BASED  
ON THE SAME OR SIMILAR PHYSICAL OR CHEMICAL PROCESSES,  
AS DEFINED IN THE TRIGGER LIST) CONSTRUCTED DURING AN  
AGREED PERIOD IN THE RECIPIENT COUNTRY AND (2) THAT  
THERE SHOULD AT ALL TIMES BE IN EFFECT A SAFEGUARDS  
AGREEMENT PERMITTING THE IAEA TO APPLY AGENCY SAFEGUARDS  
WITH RESPECT TO SUCH FACILITIES IDENTIFIED BY THE  
RECIPIENT, OR BY THE SUPPLIER IN CONSULTATION WITH THE  
RECIPIENT, AS USING TRANSFERRED TECHNOLOGY.

7. SPECIAL CONTROLS ON SENSITIVE EXPORTS

SUPPLIERS SHOULD EXERCISE RESTRAINT IN THE TRANSFER  
OF SENSITIVE FACILITIES, TECHNOLOGY AND WEAPONS-USABLE  
MATERIALS. IF ENRICHMENT OR REPROCESSING FACILITIES,  
EQUIPMENT OR TECHNOLOGY ARE TO BE TRANSFERRED, SUPPLIERS  
SHOULD ENCOURAGE RECIPIENTS TO ACCEPT, AS AN ALTERNATIVE

TO NATIONAL PLANTS, SUPPLIER INVOLVEMENT AND/OR OTHER  
APPROPRIATE MULTINATIONAL PARTICIPATION IN RESULTING  
FACILITIES. SUPPLIERS SHOULD ALSO PROMOTE INTERNATIONAL  
(INCLUDING IAEA) ACTIVITIES CONCERNED WITH MULTINATIONAL  
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REGIONAL FUEL CYCLE CENTRES.

8. SPECIAL CONTROLS ON EXPORT OF ENRICHMENT  
FACILITIES, EQUIPMENT AND TECHNOLOGY

FOR A TRANSFER OF AN ENRICHMENT FACILITY. OR  
TECHNOLOGY THEREFOR, THE RECIPIENT NATION SHOULD AGREE  
THAT NEITHER THE TRANSFERRED FACILITY, NOR ANY FACILITY  
BASED ON SUCH TECHNOLOGY, WILL BE DESIGNED OR OPERATED  
FOR THE PRODUCTION OF GREATER THAN 20 PERCENT ENRICHED  
URANIUM WITHOUT THE CONSENT OF THE SUPPLIER NATION, OF  
WHICH THE IAEA SHOULD BE ADVISED.

9. CONTROLS ON SUPPLIED OR DERIVED WEAPONS-  
USABLE MATERIAL

SUPPLIERS RECOGNISE THE IMPORTANCE, IN ORDER TO  
ADVANCE THE OBJECTIVES OF THESE GUIDELINES AND TO PRO-  
VIDE OPPORTUNITIES FURTHER TO REDUCE THE RISKS OF  
PROLIFERATION, OF INCLUDING IN AGREEMENTS ON SUPPLY OF  
NUCLEAR MATERIALS OR OF FACILITIES WHICH PRODUCE  
WEAPONS-USABLE MATERIAL, PROVISIONS CALLING FOR MUTUAL  
AGREEMENT BETWEEN THE SUPPLIER AND THE RECIPIENT ON  
ARRANGEMENTS FOR REPROCESSING, STORAGE, ALTERATION, USE,  
TRANSFER OR RETRANSFER OF ANY WEAPONS-USABLE MATERIAL  
INVOLVED. SUPPLIERS SHOULD ENDEAVOUR TO INCLUDE SUCH  
PROVISIONS WHENEVER APPROPRIATE AND PRACTICABLE.

10. CONTROLS ON RETRANSFER

(A) SUPPLIERS SHOULD TRANSFER TRIGGER LIST ITEMS,  
INCLUDING TECHNOLOGY DEFINED UNDER PARAGRAPH 6, ONLY  
UPON THE RECIPIENT'S ASSURANCE THAT IN THE CASE OF:

(1) RETRANSFER

OR

(2) TRANSFER OF TRIGGER LIST ITEMS DERIVED FROM  
FACILITIES ORIGINALLY TRANSFERRED BY THE  
SUPPLIER, OR WITH THE HELP OF EQUIPMENT OR  
TECHNOLOGY ORIGINALLY TRANSFERRED BY THE  
SUPPLIER;

THE RECIPIENT OF THE RETRANSFER OR TRANSFER WILL HAVE  
PROVIDED THE SAME ASSURANCES AS THOSE REQUIRED BY THE  
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SUPPLIER FOR THE ORIGINAL TRANSFER.

(B) IN ADDITION, THE SUPPLIER'S CONSENT SHOULD BE REQUIRED FOR: (1) ANY RETRANSFER OF THE FACILITIES, CRITICAL COMPONENTS, OR TECHNOLOGY DESCRIBED IN PARAGRAPH 6; (2) ANY TRANSFER OF FACILITIES OR MAJOR CRITICAL COMPONENTS DERIVED FROM THOSE ITEMS; (3) ANY RETRANSFER OF HEAVY WATER OR WEAPONS-USABLE MATERIAL.

SUPPORTING ACTIVITIES

11. PHYSICAL SECURITY

SUPPLIERS SHOULD PROMOTE INTERNATIONAL CO-OPERATION ON THE EXCHANGE OF PHYSICAL SECURITY INFORMATION, PROTECTION OF NUCLEAR MATERIALS IN TRANSIT, AND RECOVERY OF STOLEN NUCLEAR MATERIALS AND EQUIPMENT.

12. SUPPORT FOR EFFECTIVE IAEA SAFEGUARDS

SUPPLIERS SHOULD MAKE SPECIAL EFFORTS IN SUPPORT OF THE CONTINUING EFFECTIVENESS OF IAEA SAFEGUARDS.

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ACTION SS-25

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INFO AMEMBASSY PARIS  
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AMEMBASSY OTTAWA  
AMEMBASSY TOKYO  
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13. SENSITIVE PLANT DESIGN FEATURES

SUPPLIERS SHOULD ENCOURAGE THE DESIGNERS AND MAKERS OF SENSITIVE EQUIPMENT TO CONSTRUCT IT IN SUCH A WAY AS TO FACILITATE THE APPLICATION OF SAFEGUARDS.

L4. CONSULTATIONS

(A) SUPPLIERS SHOULD MAINTAIN CONTACT AND CONSULT THROUGH REGULAR CHANNELS ON MATTERS CONNECTED WITH THE IMPLEMENTATION OF THESE GUIDELINES.

(B) SUPPLIERS SHOULD CONSULT, AS EACH DEEMS APPROPRIATE, WITH OTHER GOVERNMENTS CONCERNED ON SPECIFIC SENSITIVE CASES, TO ENSURE THAT ANY TRANSFER DOES NOT CONTRIBUTE TO RISKS OF CONFLICT OR INSTABILITY.

(C) IN THE EVENT OF A DIVERSION OF MATERIALS OR A VIOLATION OR ABROGATION OF SUPPLIER-RECIPIENT UNDERSTANDINGS CONSISTENT WITH THESE GUIDELINES, SUPPLIERS SHOULD CONSULT PROMPTLY ON APPROPRIATE RESPONSES, AND POSSIBLE COMMON ACTIONS, BEARING IN MIND ARTICLE XII OF THE IAEA STATUTE.

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15. IN CONSIDERING TRANSFERS, EACH SUPPLIER SHOULD EXERCISE PRUDENCE HAVING REGARD TO ALL THE CIRCUMSTANCES OF EACH CASE, INCLUDING ANY RISK THAT TECHNOLOGY TRANSFERS NOT COVERED BY PARAGRAPH 6, OR SUBSEQUENT RETRANSFERS, MIGHT RESULT IN UNSAFEGUARDED NUCLEAR MATERIALS.

16. UNANIMOUS CONSENT IS REQUIRED FOR ANY CHANGES IN THESE GUIDELINES, INCLUDING ANY WHICH MIGHT RESULT FROM THE RECONSIDERATION MENTIONED IN PARAGRAPH 5."

2. CANADIAN STATEMENT

"GIVEN OUR COMMON RECOGNITION OF THE PROBLEMS INVOLVED IN INTERNATIONAL NUCLEAR TRADE, THE MEMBERS OF THIS GROUP HAVE ACHIEVED A SIGNIFICANT AREA OF AGREEMENT REGARDING THE MINIMUM STANDARDS WHICH EACH WILL APPLY TO NUCLEAR EXPORTS. AS YOU KNOW, IT IS THE VIEW OF THE CANADIAN GOVERNMENT THAT OUR SHARED OBJECTIVES WOULD BE BETTER SERVED THROUGH A SYSTEM OF IAEA FULL FUEL CYCLE SAFEGUARDS TO APPLY IN THE CASE OF FUTURE

EXPORT COMMITMENTS. WE BELIEVE THAT THIS APPROACH AS AN ALTERNATIVE TO THAT ADOPTED IN PARA "4" OF OUR AGREED DOCUMENT WARRANTS FURTHER CONSIDERATION BY NUCLEAR SUPPLIER AND RECIPIENT GOVERNMENTS. WE LOOK FORWARD, THEREFORE, TO RENEWED DISCUSSION OF SAFEGUARDS ISSUES EITHER AT NEW MEETINGS OF THIS GROUP, INCLUDING OTHER SUPPLIERS THAT MIGHT JOIN WITH US, OR ELSEWHERE. WHEREVER SUCH DISCUSSIONS TAKE PLACE, WE SHOULD CONTINUE TO LOOK FOR AREAS OF AGREEMENT WHICH WILL REFLECT THE RESPONSIBLE APPROACH WHICH ALL MEMBERS OF THE PRESENT GROUP HAVE TAKEN IN WORKING OUT THE CONSENSUS POSITION PAPER BEFORE US."

3. UK STATEMENT

"THE POLICY OF THE BRITISH GOVERNMENT TOWARDS IAEA SAFEGUARDS IS WELL KNOWN TO ALL OF YOU. WE BELIEVE THAT COMPREHENSIVE ARRANGEMENTS FOR IAEA FULL FUEL CYCLE SAFEGUARDS ARE IN THE INTERESTS OF BOTH SUPPLIERS AND

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RECIPIENTS. WE STAND BY THE SUBSTANCE OF THE LANGUAGE WE HAVE PROPOSED. BUT SINCE THIS LANGUAGE IS NOT AT PRESENT ACCEPTABLE TO THE GROUP AS A WHOLE WE SHALL NOT PROCEED WITH IT FOR THE TIME BEING.

AS YOU KNOW, WE ARE COMMITTED TO TAKING ACTION AT THE IAEA. WE HAVE BEGUN THE PROCESS OF DISCUSSING A DRAFT RESOLUTION WITH THOSE GOVERNMENTS WHO ARE INTERESTED IN DOING SO. WE ARE GRATIFIED AT THE WIDE MEASURE OF SUPPORT EXPRESSED FOR OUR PROPOSITION AND LOOK FORWARD TO ACTIVE COOPERATION AT THE IAEA AND ELSEWHERE.

IT FOLLOWS THAT WE DO NOT REGARD PARAGRAPH 4 AS WHOLLY SATISFACTORY AND THAT WE ATTACH GREAT IMPORTANCE TO PARAGRAPH 5 OF THE DRAFT TEXT IN FRONT OF US."

4. SOVIET STATEMENT

"THE POSITION OF THE SOVIET UNION WITH REGARD TO PARAGRAPH 4 OF THE GUIDELINES IS WELL KNOWN. IT WAS

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /026 W

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FM AMEMBASSY LONDON

TO SECSTATE WASHDC IMMEDIATE 6253

INFO AMEMBASSY PARIS

AMEMBASSY BONN

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OUTLINED BY UQ MORE THAN ONCE AT ALL THREE PREVIOUS  
MEETINGS.

WE STILL BELIEVE THAT IT WOULD BE IMPORTANT FOR  
STRENGTHENING THE REGIME OF NON-PROLIFERATION TO INCLUDE  
IN THE DOCUMENT A PROVISION FOR APPLICATION OF IAEA  
SAFEGUARDS TO ALL NUCLEAR ACTIVITIES OF A NON-NUCLEAR  
WEAON RECIPIENT COUNTRY.

IN THIS CASE ALL NON-NUCLEAR WEAPON STATES WOULD  
BE IN EQUAL POSITION WIT/H REGARD TO SAFEGUARDS AND THIS  
WOULD GREATLY SIMPLIFY AND STREAMLINE THE IAEA SAFE-

HOWEVER, WE TAKE INTO ACCOUNT THE FACT THAT AT  
PRESENT THIS PROVISION IS ACCEPTABLE NOT TO ALL  
DELEGATIONS PARTICIPATING IN THIS MEETING.

AT HHE QAME TIME WE WOULD LIKE TO POINT OUT THAT  
HE AGREED WOPDING IS BEING ACCEPTED BY US AS A TEMPOR-  
ARY SOLUTION UHICH IN ACCORDANCE WITH PARAGRAPH 5 OF THE  
GUIDELINES SUPPLIERS WOULD "JOINTLY RECONSIDER BEFORE  
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THE END OF 1956."



5. MOST IMPORTANT DEVELOPMENTS IN GUIDELINES RELATED TO REACTOR TECHNOLOGY SAFEGUARDS, RETRANSFER AND MUTUAL CONSENT PROVISIONS. U.S. DEL JOINED BY CANADA AND USSR, MADE REOATED EFFORTS TO SECURE AT LEAST VOLUNTARY PROVISION COVERING SAFEGUARDS FOR REACTOR TECHNOLOGY CONSISTENT WITH FRG/BRAZIL AND U.S./EGYPT ACCORDS. IN SPITE OF FRENCH OPOSITION ON INSTRUCTIONS (JOINED BY FRG AND JAPAN) TO ANY SPECIFIC REFERENCE TO REACTOR

"PACKAGE DEAL" OUT FORWARD BY UK, WHICH INCORPORATED INDIRECT REFEPEENCE TO REACTOR TECHNOLOGY SAFEGUARDS IN PARAGRAPH 15 ABOVE.

6. ON RETRANSFER CONTROLS (PARAS 9 AND 10 ABOVE)' FRANCE AND FRG OPENED WITH POSITION THAT MANDATORY SUPPLIER CONSENT ONLY PEQUIRED FOR RETRANSFER OF "SENSITIVE EQUIPMENT. (I.E. MUCH MORE RESTRICTIVE INTERPRETATION THAN OREVIOUS DRAFT WHICH TNEY SAID THEY MISUNDERSTOOD). U.S. AND CANADA VIGOROUSLY PRESSED MANDATORY SUPPLIER CONSENT TO RETRANSFER OF SUPPLIED OR DERIVED WEAPONS-US-ABLE NUCLEAR MATERIAL (I.E. PLUTONIUM) AS WELL. IN CONTEXT OF PARA 10, UK "PACKAGE DEAL" PERMITTED CONSENSUS ON MANDATORY COVERAGE OF SENSITIVE NUCLEAR EQUIPMENT AND TECHNOLOGY, OF EQUIPMENT DERIVED FROM SUCH TECHNOLOGY. ALD OF TRANSFERRED WEAPONS-USABLE MATERIAL; ALL OTHER SUOPLIED OR DERIVED NUCLEAR MATERIAL OR EQUIPMENT WAS EXCLUDED.

7. UK "PACKAGE DEAL" EXPANDED VOLUNTARY MUTUAL CONSENT PROVISION (PAPA 9 ABOVE) TO COVER TRANSFER AND RE-TRANSFER OF ALY DERIVED WEAPONS-USABLE MATERIAL. DEAL PROVED ACCEPTABLE TO CANADA AND USSR AND BECAME BASIS OF MULTILATERAL AONSENSUS, AFTER FRENCH AND FRG ACCEPTED SOVIET REQUEST TO CALL FOR SUPPLIERS RECOGNIZING THE "IMPORTANCE" (INSTEAD OF"USEFULNESS" IN OREVIOUS DRAFT) OF MUTUAL CONSENT. UPON RESOLUTION OF ABOVE ISSUES, MEETING REMOVED ALL BRACKETS IN GU'IDE-LINES, WITH FRANCE IN PARTICULAR DROPPING PREVIOUSLY STATED OPPOSITION TO VOLUNTARY REFERENCES TO MUTUAL/

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CONSENT AND REACTOR TECHNOLOGY.

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## Message Attributes

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